

REMARKS

This application has been reviewed in light of the Office Action dated May 21, 2007. Claims 1, 8-11, 21, 22, 24, 28, 34-38, 40, 41, 43-46, 48 and 49 are presented for examination, of which Claims 1, 24 and 28 are in independent form. Claims 1, 9, 24, 28, 36, 43 and 44 have been amended to provide clarification and as to matters of form. No change in scope is either intended or believed effected by these changes. Favorable reconsideration is requested.

Applicants thank the Examiner for his indication that Claims 8-11, 21, 22, 34-38, 43-46, 48 and 49 would be allowable if the base claims overcome the nonstatutory double patenting rejection, as set forth in the Office Action. For the reasons set forth below, it is believed that the rejection of the base claims has been overcome and its withdrawal is, therefore, respectfully requested.

Claims 1, 24 and 28 have been rejected for obviousness-type double patenting over Claim 1 of U.S. Patent 7,002,964 (Ohnishi et al.).

As shown above, Applicants have amended independent Claims 1, 24 and 28 in terms that more clearly define what they regard as their invention. Applicants submit that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 1 is directed to a data communication system including: (1) a source node adapted to transfer object data; (2) one or more destination nodes adapted to receive the object data transferred from the source node; and (3) a controller adapted to set a logical connection between the source node and the one or more destination nodes. The source node is

adapted (a) to obtain connection information indicating the logical connection from the controller, (b) to set a segment size in accordance with reception capability of a respective destination node in order to divide the object data into one or more segments, (c) to divide the object data into one or more segments in accordance with the segment size, and (d) to transfer packets including both data in the one or more segment and the connection information from the source node to the one or more destination nodes via a serial bus.

Applicants submit that Claim 1 of Ohnishi does not teach or even hint that the source node is arranged to transfer packets including both data in the one or more segment and the connection information from the source node to the one or more destination nodes via a serial bus, much less such transfer of packets, functioning together with setting of a segment size and division of object data, as recited in Claim 1. Thus, nothing in Claim 1 of Ohnishi would teach or suggest “wherein said source node is adapted (a) to obtain connection information indicating the logical connection from said controller, (b) to set a segment size in accordance with reception capability of a respective destination node in order to divide the object data into one or more segments, (c) to divide the object data into one or more segments in accordance with the segment size, and (d) to transfer packets including both data in the one or more segment and the connection information from said source node to said one or more destination nodes via a serial bus,” as recited in Claim 1.

Accordingly, Applicants submit that Claim 1 is allowable over Ohnishi.

A review of the other art of record has failed to reveal anything which, in Applicants’ opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 1.

Independent Claim 24 is a method claim corresponding to apparatus Claim 1, and is believed to be patentable over Ohnishi for at least the same reasons as discussed above in connection with Claim 1. Additionally, independent Claim 28 includes features substantially similar to those of Claim 1. Accordingly, Claim 28 is believed to be patentable over Ohnishi, for reasons substantially the same as those discussed above in connection with Claim 1.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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